

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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RAJENDRA D. BADGAIYAN, M.D., )  
Plaintiff, )  
v. )  
ANTHONY J. PRINCIPI, Secretary, ) C.A. No. 04-12031-JLT  
Department of Veterans' Affairs; )  
President and Fellows of )  
HARVARD COLLEGE; )  
and GRACE J. MUSHRUSH, M.D., )  
Defendants. )  
\_\_\_\_\_  
)

PLAINTIFF RAJENDRA BADGAIYAN, M.D.'S

MOTION FOR PROTECTIVE ORDER

NOW COMES your PLAINTIFF, Rajendra D. Badgaiyan, M.D., and hereby respectfully MOVES this HONORABLE COURT, pursuant to F.R.Civ.P. 26(c), that it enter its PROTECTIVE ORDER providing that the Deposition of Rajendra Badgaiyan, M.D., noticed in this matter for Wednesday, March 8, 2006, be CONTINUED until such time as plaintiff Dr. Badgaiyan has arranged for representation to his satisfaction, not to exceed thirty (30) days, and states as his reasons therefor as follows:

1. Dr. Badgaiyan has indicated he wishes to seek an alternative to his present counsel;

2. His present counsel has filed and served a Motion for Leave to Withdraw as Counsel in this matter;

3. Requiring Dr. Badgaiyan to undergo deposition either unrepresented or with counsel not to his satisfaction would subject him to undue burden, prejudice and expense;

4. This matter is set down for a status conference before the court on March 9, 2006;

5. No trial date has yet been set for this matter; and discovery has only occurred on a limited basis;

DATED:

Respectfully submitted,  
Rajendra Badgaiyan, M.D.  
Plaintiff  
By his Counsel

/s/ Paul H. Merry  
Paul H. Merry, Esq.  
50 Congress St., Suite 1000  
Boston, MA 02109  
(617) 720-2400  
BBO# 353480

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party to this action by first-class mail on March 7, 2006.

/s/ Paul H. Merry  
Paul H. Merry